

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JOE VAN WARREN,**

**Petitioner,**

**v.**

**LEE RYKER, Warden,**

**Respondent.**

**No. 10-CV-0001-DRH-SCW**

**MEMORANDUM AND ORDER**

**HERNDON, Chief Judge:**

Before the Court is a Report and Recommendation (the Report) (Doc. 18) issued on April 12, 2011, by United States Magistrate Judge Williams recommending that respondent's motion to dismiss petitioner's pro se petition for writ of habeas corpus be granted as untimely. Upon issuance, the Report was sent to the parties with a notice informing them of their right to appeal by way of filing "objections" by April 27, 2011 (Doc. 18-1). To date, none of the parties have filed objections, and the period in which to file objections has expired. Therefore, pursuant to 28 U.S.C. § 636(b), this Court need not conduct *de novo* review. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). Thus, the Court **ADOPTS** the Report in its entirety (Doc. 18). The matter is **DISMISSED** with prejudice. The Clerk is instructed to **ENTER**

**JUDGMENT** in favor of respondent and against petitioner and close the file.

**IT IS SO ORDERED.**

Signed this 28th day of April, 2011.

 Digitally signed by David  
R. Herndon  
Date: 2011.04.28 12:58:19  
-05'00'

**Chief Judge**  
**United States District Court**